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OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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IN REPLY REFER TO

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From: Chief of Naval Operations

Subj: LIMITED ACCESS AUTHORIZATION FOR NON-U.S. CITIZENS

Encl: (1) Revised Limited Access Authorization (LAA) for Non-U.S. Citizens

1. Enclosure (1) clarifies current policy guidance for requesting Limited Access Authorization (LAA) for non-U.S. citizens. It reiterates the conditions under which an LAA may be granted and emphasizes the requirement for a favorable foreign disclosure determination prior to submitting a LAA request to CNO (N09N2). Enclosure (1) will be incorporated into the next revision of reference (a).
2. In order to expedite dissemination, please distribute this letter to your subordinate commands or refer your subordinate commands to our web site at www.navysecurity.navy.mil.
3. The CNO (N09N2) point of contact for this matter is Ms. Francine Stephens at (202) 433-8858 or DSN: 288-8858, or email at fstephen@ncis.navy.mil.

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LIMITED ACCESS AUTHORIZATION (LAA) FOR NON-U.S. CITIZENS

1. Although non-U.S. citizens are not eligible for security clearance, access to classified information may be justified for compelling reasons in furtherance of the DON mission, including special expertise. A LAA may be justified in those rare circumstances where a non-U.S. citizen possesses a unique or unusual skill or expertise that is urgently needed and for which a cleared or clearable U.S. citizen is not available. When justified, a LAA may be considered under the following conditions:

- a. Access is limited to classified information relating to a specific program or project;
- b. The appropriate foreign disclosure authority documents that access to the specified classified information is releasable to the individual's country of origin;
- c. Physical custody of classified material will not be authorized;
- d. LAAs will not be granted to personnel who perform routine administrative or other support duties;
- e. Individuals granted LAAs will not be designated couriers or escorts for classified material;
- f. Personnel granted LAAs will not be permitted uncontrolled access to areas where classified information is stored or discussed. Classified information will be maintained in a location that will be under the continuous control and supervision of an appropriately cleared U.S. citizen.
- g. A SSBI is completed favorably; where full investigative coverage cannot be completed, a counterintelligence-scope polygraph examination will be required; and
- h. A foreign national employee must agree to a counterintelligence-scope polygraph examination before being granted access. Failure to agree will terminate the processing of the LAA request.

2. When a LAA is justified, a commanding officer may submit a request to CNO (N09N2) with the following information:

- a. The identity of the individual for whom the LAA is requested, including name, date and place of birth, current citizenship, social security number (if held),
- b. Date and type of most recent personnel security investigation; (If a SSBI has not been completed within the past 5 years, a completed personnel security investigative request package must be enclosed for CNO (N09N2) review and submission;
- c. A description of the position requiring access and the specific duties - (delineated as precisely as possible) for which access is requested;
- d. The compelling reasons for the request including an explanation of the special skills or special expertise the individual possesses and the rationale for not employing a cleared or clearable U.S. citizen;

- e. A full description of the specified classified information to be accessed, including classification;
 - f. A copy of the foreign disclosure authority determination for the specified classified information;
 - g. An explanation as to how the command plans to control and limit the individual's access;
 - h. A statement that the candidate has agreed to undergo a counterintelligence scope polygraph examination when needed; and
 - i. The period of time for which access is required (Not to exceed 5 years).
3. CNO (N09N2) will review the LAA request to ensure it meets program requirements.
- a. Requests that are incomplete or not properly justified will be promptly returned to the requester.
 - b. After ensuring that the LAA meets program parameters, CNO (N09N2) will forward the SSBI request to the investigative service agency. No authorization can be issued until favorable adjudication of the SSBI.
4. Individuals who have been granted a LAA will not be allowed to have access to any classified information other than that specifically authorized.
- a. Non-U.S. citizens will not be authorized access to foreign intelligence information without approval of the originating agency, or to COMSEC keying materials, Top Secret, Naval Nuclear Propulsion Information (NNPI), TEMPEST, cryptographic or NATO information.
 - b. A classified Information Nondisclosure Agreement (SF 312) must be executed by the individual prior to granting access to classified information.
 - c. Individuals with LAAs will be placed under the general supervision of appropriately cleared U.S. citizens. Supervisors will be made fully aware of the limits to access imposed and that physical custody of classified information by the individual is not authorized.
5. LAAs are authorized for 5 years. If a LAA is required in excess of 5 years, a new request must be submitted following the paragraph 2 procedures, including the completed SSBI-PR request package. CNO (N09N2) will review the new request and may approve continuation of the LAA, as appropriate, pending favorable adjudication of the completed Periodic Reinvestigation (PR).
6. If an individual granted a LAA is transferred to another position, the LAA previously granted is rescinded. The individual will be debriefed in accordance with SECNAVINST 5510.30A, chapter 4. If the individual is transferring to other duties requiring a LAA, the command will request a new access authorization, again following the 9-16 procedures. If the individual's SSBI is less than 5 years old, a new PSI may not be required.